

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 5:07CV50
(STAMP)

LEONARD REYNOLDS, D.P.M.,

Defendant.

**ORDER CONTINUING GENERALLY EVIDENTIARY HEARING
AND ESTABLISHING BRIEFING SCHEDULE**

A rescheduled evidentiary hearing on default judgment in this action was set for July 11, 2007 to provide the defendant with an opportunity to retain counsel. Prior to the hearing, no appearance was entered on behalf of the defendant. However, William D. Wilmoth attended the hearing and stated that he was officially retained by the defendant on July 10, 2007 and would enter an appearance in this action at the conclusion of the hearing.¹ The defendant, Leonard Reynolds, D.P.M., was also in attendance at the hearing.

To give the defendant, through counsel, an opportunity to explain his failure to plead or otherwise response in this action, the evidentiary hearing in this matter is CONTINUED GENERALLY and the following briefing schedule is ESTABLISHED:

¹ In the time between the hearing and the entry of this order, William D. Wilmoth entered a notice of appearance on behalf of the defendant.

1. Any motion to set aside the entry of default or any other appropriate motions for relief and memoranda in support must be filed on or before **July 25, 2007.**

2. Any response to such motion or motions shall be filed on or before **August 8, 2007.**

3. Any reply shall be filed on or before **August 17, 2007.**

If defendant decides to forego the filing of any motion under the above briefing schedule, he should promptly advise the Court and the Court will then schedule an evidentiary hearing on plaintiff's motion for default judgment.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: July 11, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE